

**STAFF REPORT**  
Meeting Date: December 12, 2003

**Agenda Item 9**

**TO:** LAFCO Commissioners

**FROM:** Everett Millais, Executive Officer

**SUBJECT:** LAFCO 01-12 A3 City of San Buenaventura Reorganization – SCE-  
Extension of Time Request

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**RECOMMENDATION:**

Adopt the attached resolution granting an extension of time to December 31, 2004 for completion of proceedings for LAFCO 01-12 City of San Buenaventura Reorganization – SCE.

**DISCUSSION:**

LAFCO approved the proposal titled LAFCO 01-12 City of San Buenaventura Reorganization-SCE on June 13, 2001. LAFCO last granted a request for an extension of time on December 4, 2002, which extended the time for LAFCO to complete proceedings to December 31, 2003.

The territory involved is located at the southeasterly corner of the intersection of Victoria Avenue and Olivas Park Drive in the City of San Buenaventura's Sphere of Influence and includes the complete intersection of Victoria Avenue and Olivas Park Drive. One of the terms and conditions of the LAFCO resolution approving the reorganization stated: " This reorganization shall not be recorded until and unless the County of Ventura provides written certification to the Executive Officer that the proposal area consists of legal lots within the County."

Government Code Section 57001 states:

"If a certificate of completion for a change of organization or reorganization has not been filed within one year after the commission approves a

**COMMISSIONERS AND STAFF**

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*Alternate:*  
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*Alternate:*  
Don Waunch

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**EXECUTIVE OFFICER:**  
Everett Millais

**SENIOR PLANNER:**  
Hollie Brunsky

**CLERK:**  
Debbie Schubert

**LEGAL COUNSEL:**  
Noel Klebaum

proposal for that proceeding, the proceeding shall be deemed abandoned unless prior to the expiration of that year, the commission authorizes an extension of time for that completion. The extension may be for any period deemed reasonable to the commission for completion of necessary prerequisite actions by any party.”

The condition requiring notification that the territory consists of legal lots has not been met and, therefore, proceedings for this reorganization have not been completed. Listed below are prior LAFCO actions relating to this proposal.

- LAFCO first approved the 01-12 City of Ventura Reorganization – SCE with conditions on June 13, 2001.
- LAFCO approved a six-month extension of time on June 12, 2002 extending the period for completion of LAFCO proceedings to December 13, 2002.
- LAFCO approved a one-year extension of time request on December 4, 2002, extended the period for completion of LAFCO proceedings to December 31, 2003.

Before the first request for an extension of time, it became known that representatives of Southern California Edison (SCE), the property owner, had not filed the appropriate application materials with County Planning, and that the requirement for a legal lot (which requires that a Conditional Certificate of Compliance be recorded) could not be met by the June 13, 2002. Because of this, the City of San Buenaventura requested a six-month extension of time for completion of LAFCO proceedings on LAFCO June 12, 2002.

On November 2, 2002, LAFCO staff, SCE’s representatives and County Planning met to review this matter. SCE’s representative indicated that they understood everything required for filing for a conditional certificate of compliance and would soon be submitting an application and all required materials.

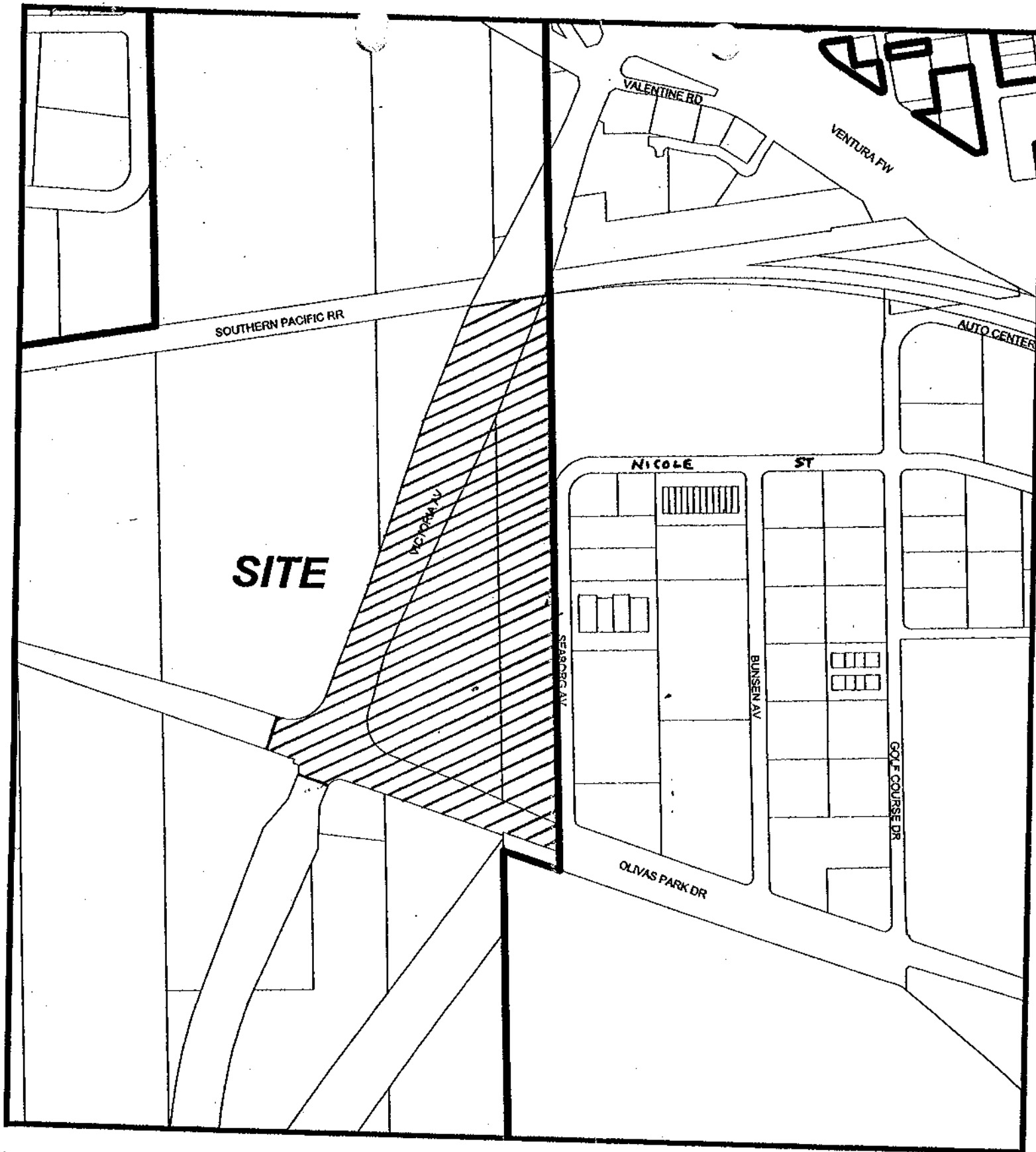
The necessary filings to obtain a Conditional Certificate of Compliance from the County were made by SCE representatives in May 2003. County staff requested additional support materials necessary for environmental review shortly thereafter, but these materials were not filed with the County until October 2003. Recent information from County Planning staff indicated that due to the delay filing all requested information, the County cannot complete environmental review and act on the Conditional Certificate of Compliance in time for LAFCO proceedings to be completed by December 31, 2003. It is for this reason that the City of San Buenaventura has again requested yet another extension of time for completion of proceedings.

Even though neither the City nor SCE have been motivated to cause the completion of proceedings to occur by now, providing additional time for this reorganization to be recorded still remains appropriate. Circumstances in the area have not changed since the original approval in June 2001. The area is within the Sphere of Influence of the City of

San Buenaventura and does not affect agricultural or open space lands. This reorganization will provide for all of Victoria Avenue, including all of the bridge over the Union Pacific Railroad, and all of Victoria Avenue and Olivas Park Drive intersection to be in the City of San Buenaventura, rather than being jurisdictionally split for maintenance and liability between the City and County. If this request were to be denied the property owner and the City would be required to start the process all over again. This would not be in the best interest of any of the parties. In order to provide everyone with sufficient time and to not further burden the LAFCO calendar, an extension of time to December 31, 2004 is recommended.

Attachments:

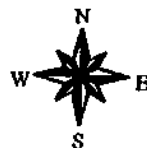
1. Vicinity Map
2. Resolution 01-12-A3 approving an extension of time to December 31, 2004



COUNTY SURVEYOR  
ENGINEERING SERVICES  
WATER RESOURCES/ENGINEERING  
PUBLIC WORKS AGENCY

**LAFCO 01-12**  
CITY OF SAN BUENAVENTURA  
REORGANIZATION- SCE

6/5/2001



1"= 500"

**LAFCO 01-12 A3**  
**RESOLUTION OF THE VENTURA LOCAL AGENCY**  
**FORMATION COMMISSION APPROVING AN**  
**EXTENSION OF TIME FOR THE COMPLETION OF**  
**PROCEEDINGS FOR LAFCO 01-12 CITY OF SAN**  
**BUENAVENTURA REORGANIZATION - SCE**

WHEREAS, the Ventura Local Agency Formation Commission (LAFCO) approved the City of San Buenaventura Reorganization - SCE on June 13, 2001; and

WHEREAS, Government Code Section 57001 requires that a certificate of completion be recorded within one year after LAFCO approved the reorganization proposal, unless extended by LAFCO; and

WHEREAS, LAFCO on June 12, 2002, based on a prior request by the City of San Buenaventura, approved a six-month extension of time for completion of proceedings, to December 13, 2002; and

WHEREAS, LAFCO on December 4, 2002, based on a prior request by the City of San Buenaventura, approved a one-year extension of time for completion of proceedings, to December 13, 2003; and

WHEREAS, the City of San Buenaventura has submitted a request to LAFCO to extend the time for the recordation of a certificate of completion for another one-year time period so that all terms and conditions of the LAFCO approval can be satisfied; and

WHEREAS, the request was submitted prior to the expiration of the extended time limit approved by LAFCO, and all LAFCO fees have been paid; and

WHEREAS, circumstances in the area have not changed and no new issues or impacts have been raised since LAFCO's approval of the reorganization proposal which were not known and considered at the time of approval; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony for and against the requested extension of time, including, but not limited to, the Executive Officer's report and recommendation; and

WHEREAS, LAFCO finds the requested extension of time to be in the best interest of the affected area and the organization of local governmental agencies within Ventura County;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the  
Ventura Local Agency Formation Commission as follows:

- (1) The Executive Officer's Staff Report and Recommendation dated  
December 12, 2003 is adopted.
- (2) The time for recording a certificate of completion to complete proceedings  
for LAFCO 01-12 City of San Buenaventura Reorganization - SCE is  
hereby extended to December 31, 2004.
- (3) All provisions, terms and conditions of the resolution approving LAFCO  
01-12, dated June 13, 2001, shall remain in effect.

This resolution was adopted on December 12, 2003.

AYES:

NOES:

ABSTAINS:

Dated: \_\_\_\_\_  
Chair, Ventura Local Agency Formation Commission

Copies:

City of San Buenaventura  
Ventura County Assessor  
Ventura County Surveyor  
Ventura County Planning  
Ventura County Traffic Division  
Southern California Edison

Ventura County Auditor  
Ventura County Elections